Resorted to KUSS

FEDERAL COMMUNICATIONS COMMISSION 16230

WASHINGTON, D. C. Vermillion S.D.

In Re Application of	)	
	)	
GEORGIA SCHOOL OF TECHNOLOGY (WGST)	)	DOCKET NO. 2874
	)	
ATLANTA, GEORGIA.	)	
	)	
For Modification of License.	)	

BY THE COMMISSION,

BROADCAST DIVISION.

STATEMENT OF FACTS AND GROUNDS FOR DECISION

This proceeding arose upon the application of Georgia School of Technology, licensee of Radio Station WGST, Atlanta, Georgia, for modification of license, to increase the station's power from 500 watts, 1 kilowatt, local sunset, to 1 kilowatt, (its frequency of 890 kilocycles and its unlimited hours of operation to remain the same). The Commission was unable to determine from an examination of the application that the grant thereof would serve public interest, convenience and necessity and designated the same for public hearing pursuant to Secton 309 of the Communications Act of 1934, before an Examiner appointed by the Commission. Notice of time and place of hearing was given the applicant and other interested parties. Pursuant to said notice the application was heard on October 14, 1935 before an Examiner who, on November 26, 1935, submitted his report (No. I-145) recommending the grant of the application. Thereafter on January 10, 1936 the Commission issued its order granting the application, conditioned on compliance with Rules 131 and 132 of the Commission's Regulations, the order to become effective at 3 A.M., Eastern Standard Time, March 3, 1936.

The record discloses that the Georgia School of Technology, the licensee of Station WGST, is an institution owned and operated by the State of Georgia. The School is directly controlled by a Board of Regents of the University System of Georgia. The Board of Regents has designated as manager of the station the President of the Georgia School of Technology, Dr. M. L. Brittain, and as manager he has control of the station's policies and has supervision of the program material. The station is situated on the grounds of the School and is housed in one of its buildings. The licensee, the Georgia School of Technology, has heretofore entered into a contract with the Southern Broadcasters, Inc., whereby the Southern Broadcasters, Inc., becomes the operating agency of the licensee. By the terms of the contract, the operating agency provides all equipment, pays all expenses of operation, absorbs any deficit that might

accrue from the operation of Station WGST, and receives as compensation for its service to the licensee 90 percent of the gross receipts. Another condition of this contract stipulates that the licensee is to have the use of the station for two hours each week to broadcast any matter it may desire, and the Southern Broadcasters, Inc., is designated as an operating agency working under the direction of the President of the Georgia School of Technology, Dr. Brittain. Dr. Brittain has the right to approve and/or disapprove any program or programs proposed to be broadcast by the operating agency. The policies of the station remain under his control by the terms of the contract.

The financial statement offered in evidence indicates the profit accruing to the licensee from the operation of this station from January 1, 1935 to September 3, 1935, amounts to $6,625.46, and the profit accruing to the operating agency during this same period amounts to $20,968.29. The operating agency is amply able to finance any improvements or changes contemplated in the instant application.

The applicant is affiliated with the Columbia Broadcast System and receives a major part of its programs from that source. A typical program of this station was offered in evidence as an exhibit. The programs appear to be well balanced, entertaining and enlightening. A reasonable amount of time is devoted to educational, religious, charitable and civic broadcasts. Several news broadcasts are given daily covering local, national and international matters.

According to the 1930 census the City of Atlanta had a population of 270,366, and the metropolitan area of Atlanta had a population of 370,920. Included in this metropolitan area are several smaller cities which are within a radius of six or seven miles. There are two other broadcast stations located in Atlanta; namely, WSB, a 50 kilowatt station, and WJTL, (changed since the date of the hearing to WATL), a 100 watt station. Other radio service is available at night from distant clear channel stations.

The record discloses that the service area of the applicant station is curtailed because of interference from Station XEW, Mexico City, Mexico, which operates on the same frequency as the applicant station. Engineering testimony and other evidence indicates the service area of the applicant station is limited at night by said interference to a radius of approximately three or four miles from its transmitter, which does not permit service to the entire metropolitan area of Atlanta. It would appear that if the additional power requested is given the interference would be overcome sufficiently for the applicant to serve all of the metropolitan area of the City of Atlanta. It appears that a substantial need exists for the additional service proposed.

If this application is granted some interference may be expected with the following stations, all operating on 890 kc: Station KARK, Little Rock, Arkansas, which operates with power of 250 watts night and 500 watts local sunset, and is 450 miles distant from Atlanta; Station KFNF, Shenandoah,

Iowa, which operates with 500 watts at night, and is 780 miles from Atlanta; Station KUSD, Vermillion, South Dakota, which operates with power of 500 watts at night, and is 920 miles distant from Atlanta; Station WILL, Urbana, Illinois, which operates with power of 250 watts at night and is 490 miles distant from Atlanta; WMMN, Fairmont, West Virginia, which operates with power of 250 watts at night and is 462 miles distant from Atlanta; and Station WJAR, Providence, Rhode Island, which operates with power of 500 watts and is 897 miles from Atlanta. In each of these cases the recommended separation, in order to avoid objectionable interference, under the present operating conditions is 800 miles, and the recommended separation under the conditions which will exist if the application is granted, is 1,000 miles. Although there would be interference with the stations named if this application is granted, that interference would be no greater than that which now exists. Station KARK would not receive any greater interference from WGST than it now receives from other stations.

Night quota due the State of Georgia is 3.64 units and that assigned at the time of the hearing was 4.26 units. It is now assigned 4.46 units. The night quota due the Third Zone is 36.00 units and that assigned at the time of the hearing was 46.225 units. It is now assigned 46.70 units. The granting of this application would increase the night quota .2 unit.

Upon consideration of the application, the evidence adduced at the hearing, the Examiner's Report, and the entire record, the Commission was of the opinion and so found, that public interest, convenience, and necessity would be served by the grant of the application of Georgia School of Technology, licensee of Radio Station WGST, Atlanta, Georgia, for modification of license, and, accordingly, entered its order granting the said application, conditioned upon compliance with Rules 131 and 132 of the Commission's Regulations, the said order to become effective at 3:00 A. M., Eastern Standard Time, March 3, 1936.

Adopted March 10, 1936.

I hereby certify that the foregoing is a full, true and correct copy of the Statement of Facts and Grounds for Decision of the Federal Communications Commission in Docket No. 2874

HERBERT L. PETTEY,
Secretary.

By M. B. Anthony

Scanned from the National Association of Educational Broadcasters Records
at the Wisconsin Historical Society as part of
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